



SA2004RF0027

People's Advocate, Inc.

3407 Arden Way • Sacramento, CA 95825

www.peoplesadvocate.org

www.tedcosta.com

August 4, 2004

The Hon Attorney General

Bill Lockyer

Attention: Trish Knight, Initiative Coordinator

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AUG - 4 2004

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Dear Trish:

Enclosed you will find an initiative, entitled "Citizen Legislature Act," three pages in length. Also included is a check for \$200.00 as required.

I am asking you to prepare a title and summary. I am a registered voter in California and a citizen of the United States.

Thank You,

Edward J. "Ted" Costa

CEO of People's Advocate

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AFFIDAVIT

I, Ted Costa, acknowledge that it is a misdemeanor under state law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for this ballot.

Ted Costa

Dated this 4 day of August, 2004

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INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Citizen Legislature Act

Section 1. Declaration of Findings and Purposes.

A. California's experiment with a "full-time" Legislature has failed. The result has been a Legislature dominated by career politicians beholden to special interests. Legislators do not work "full-time" yet they receive full-time pay and benefits. They orchestrate their legislative schedule so that they can receive "per diem" expense payments even when they are not conducting legislative business. Yet, with all of these incentives, they continually fail to accomplish their most important job, passing a state budget on-time.

B. California needs and deserves a Legislature that is only interested in conducting the people's business. Most states have a part-time Legislature. A part-time Legislature will restore the Legislature to one comprised of citizen legislators and will break the stranglehold of special interests. It will reduce the number of unnecessary and self-serving bills and will result in a more responsible and accountable government institution.

C. Therefore, the people of the state of California hereby amend the Constitution to enact the "Citizen Legislature Act."

Section 2. Amendments to Constitution.

Subdivision (a) of Section 3 of Article IV of the California Constitution is amended to read:

Sec. 3. (a) The Legislature shall convene in regular session at noon on the first Monday in December of each even-numbered year for the sole purpose of organizing and each house shall immediately organize. Each biennium session of the Legislature shall adjourn sine die by operation of the Constitution at midnight on ~~November~~ June 30 of the following even-numbered year.

(b) The Legislature shall reconvene in regular session on the first Monday of January each year. Except as provided in Section 7(c), all legislative matters shall be considered in open and public proceedings of each house or the committees thereof, but not for more than ninety (90) days and prior to adjournment pursuant to this section. The regular session of the Legislature shall be adjourned on or before midnight on June 30 of each calendar year. The Legislature may, however, at its discretion reconvene for a period of 15 days following adjournment to reconsider bills vetoed by the Governor pursuant to section 10 of this article.

(c) (b) On extraordinary occasions the Governor by proclamation may cause the Legislature to assemble in special session. When so assembled it has power to legislate

only on subjects specified in the proclamation but may provide for expenses and other matters incidental to the session.

Section 10 of Article IV is amended to read:

(a) Each bill passed by the Legislature shall be presented to the Governor. It becomes a statute if it is signed by the Governor. The Governor may veto it by returning it with any objections to the house of origin, which shall enter the objections in the journal and proceed to reconsider it. If each house then passes the bill by rollcall vote entered in the journal, two-thirds of the membership concurring, it becomes a statute.

~~(b)(1) Any bill, other than a bill which would establish or change boundaries of any legislative, congressional, or other election district, passed by the Legislature on or before the date the Legislature adjourns for a joint recess to reconvene in the second calendar year of the biennium of the legislative session, and in the possession of the Governor after that date, that is not returned within 30 days after that date becomes a statute.~~

~~(2) Any bill passed by the Legislature before September 1 of the second calendar year of the biennium of the legislative session and in the possession of the Governor on or after September 1 that is not returned on or before September 30 of that year becomes a statute.~~

~~(3) Any other bill presented to the Governor that is not returned within 12 days becomes a statute.~~

(4) ~~(2)~~ If the Legislature by adjournment of a special session prevents the return of a bill with the veto message, the bill becomes a statute unless the Governor vetoes the bill within ~~12~~ 30 days after it is presented by depositing it and the veto message in the office of the Secretary of State.

~~(5) If the 12th day of the period within which the Governor is required to perform an act pursuant to paragraph (3) or (4) of this subdivision is a Saturday, Sunday, or holiday, the period is extended to the next day that is not a Saturday, Sunday, or holiday.~~

~~(c) Any bill introduced during the first year of the biennium of the legislative session that has not been passed by the house of origin by January 31 of the second calendar year of the biennium may no longer be acted on by the house. No bill may be passed by either house on or after September 1 of an even-numbered year except statutes calling elections, statutes providing for tax levies or appropriations for the usual current expenses of the State, and urgency statutes, and bills passed after being vetoed by the Governor.~~

~~(d) The Legislature may not present any bill to the Governor after November 15 of the second calendar year of the biennium of the legislative session.~~

~~(c) (e)~~ The Governor may reduce or eliminate one or more items of appropriation while approving other portions of a bill. The Governor shall append to the bill a statement of the items reduced or eliminated with the reasons for the action. The Governor shall transmit to the house originating the bill a copy of the statement and reasons. Items reduced or eliminated shall be separately reconsidered and may be passed over the Governor's veto in the same manner as bills.

~~(d)(1) (f)(1)~~ If, following the enactment of the budget bill for the 2004-05 fiscal year or any subsequent fiscal year, the Governor determines that, for that fiscal year, General Fund revenues will decline substantially below the estimate of General Fund revenues upon which the budget bill for that fiscal year, as enacted, was based, or General Fund expenditures will increase substantially above that estimate of General Fund revenues, or both, the Governor may issue a proclamation declaring a fiscal emergency and shall thereupon cause the Legislature to assemble in special session for this purpose. The proclamation shall identify the nature of the fiscal emergency and shall be submitted by the Governor to the Legislature, accompanied by proposed legislation to address the fiscal emergency.

(2) If the Legislature fails to pass and send to the Governor a bill or bills to address the fiscal emergency by the 45th day following the issuance of the proclamation, the Legislature may not act on any other bill, nor may the Legislature adjourn for a joint recess, until that bill or those bills have been passed and sent to the Governor.

(3) A bill addressing the fiscal emergency declared pursuant to this section shall contain a statement to that effect.

Section 3. Severability

If any part of the measure or the application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications which could reasonably be given effect without the invalid provision or application.

Section 4. Effective and Operative Dates

This act shall become effective immediately; however, it shall become operative upon certification of the general election results in 2006.